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Jeffrey P. Catenacci

*Attorney for Defendants
Bank of America, N.A. and
Federal National Mortgage Association*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MARILYNN ENGLISH,

Plaintiff,

v.

FEDERAL NATIONAL MORTGAGE
ASSOCIATION, FEDERAL HOME LOAN
MORTGAGE CORPORATION, BANK OF
AMERICA N.A.,

Defendants.

x

: Honorable Claire C. Cecchi, U.S.D.J.

: Civil Action No. 13 CV 2028 (CCC) (JBC)

: **BANK OF AMERICA, N.A. AND FEDERAL
NATIONAL MORTGAGE ASSOCIATION'S
NOTICE OF MOTION TO DISMISS
PLAINTIFF'S THIRD AMENDED
COMPLAINT**

: **Oral Argument Requested**

: **Return Date: August 18, 2014**

x

TO: Marilyn English, Pro Se
97 Pease Avenue
Verona, New Jersey 07044

PLEASE TAKE NOTICE that on August 18, 2014, at 9:00 a.m., or as soon thereafter as counsel may be heard, the undersigned counsel for Defendants Bank of America, N.A. ("BANA") and Federal National Mortgage Association ("Fannie Mae" and together with BANA, the "Mortgage Defendants"), shall move before the Honorable Claire C. Cecchi, U.S.D.J., at the Martin Luther King, Jr. Federal Building and United States Courthouse, 50 Walnut Street,

Newark, New Jersey, for an entry of an Order granting Mortgage Defendants' Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6) and dismissing Plaintiff's Third Amended Complaint with prejudice.

PLEASE TAKE FURTHER NOTICE that in support of said Motion, Mortgage Defendants will rely upon the Memorandum of Law and Declaration of Jeffrey P. Catenacci, submitted herewith.

PLEASE TAKE FURTHER NOTICE that Mortgage Defendants respectfully request oral argument.

WINSTON & STRAWN LLP

*Attorneys for Defendants
Bank of America N.A. and Federal National Mortgage Association*

By: s/ Jeffrey P. Catenacci
Jeffrey P. Catenacci
jcatenacci@winston.com

Dated: July 17, 2014

OF COUNSEL:

Alyson G. Traw
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100 N. Tryon Street
Charlotte, NC 28202
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atraw@winston.com

CERTIFICATE OF SERVICE

I hereby certify that on July 17, 2014, the foregoing Notice of Motion and supporting documents were served as follows:

BY ECF AND FEDERAL EXPRESS:

Marilyn English
97 Pease Avenue
Verona, New Jersey 07044

BY ECF:

Vladimir V. Palma
PHELAN HALLINAN & SCHMIEG P.C.
400 Fellowship Road, Suite 1100
Mt. Laurel, New Jersey 08054

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

s/ Jeffrey P. Catenacci
Jeffrey P. Catenacci

Dated: July 17, 2014